

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47379 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- BIHRA District- Saharsa

Soni Devi Barun Jha @ Varun Jha @ Varun Kumar Jha @ B.K. Jha Village-
Rahua W.No-4, Ps- Bihra Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Tapeshwar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Bihra P.S. Case No. 79 of 2025, registered for the offences under Sections 126(2), 115(2), 109(1), 329(3), 118(2), 119(1), 119(2), 351(2), 3(5) of the BNS.

3. As per the prosecution case, in the background of land dispute, the co-accused husband of the petitioner entered into scuffle with the informant and his cousin. The co-accused, Varun Jha made a call to this petitioner and told her to bring his firearm and the petitioner handed him over a pistol. Coaccused Varun Jha opened indiscriminate firing causing injury to informant's cousin Tarakant Jha and also to one Ahilya Devi.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation of assault against the petitioner and she has been falsely implicated in this case. Admittedly, there is land dispute between the parties and Title Suit No. 879/23 is also pending before the Court of learned Sub Judge, Saharsa. The husband of the petitioner has purchased the land from the real owner but the informant has been claiming the land on the basis of false documents and wants to forcibly possess the land with the help of the criminals. The petitioner has been made accused on the basis of completely false story that coaccused Varun Jha asked her to bring pistol and she handed him the pistol. Even her father has been made accused who is a resident of adjacent village. The informant has earlier also lodged a case against the petitioner and her husband and police submitted charge sheet showing it to be a matter of land dispute and one other case is also pending against the petitioner which is also lodged by the same informant. The petitioner is in custody since 15.04.2025 and charge sheet has been submitted against her.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and



submission made on behalf of the parties and considering the vague and doubtful nature of allegation against the petitioner and also considering the fact that there is no specific allegation of assault against the petitioner of causing injury to any person and further considering her period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Saharsa/concerned court, in connection with Bihra P.S. Case No. 79 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled



by the court concerned.

(Arun Kumar Jha, J)

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